IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1159 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 27/01/2004 in WP NO : 6661 OF 1990 on the file of the High Court.)

Between:

Manam Pedaveera Reddy, s/o Brahma Reddy,
R/o Garapadu, Guntur District.

..... APPELLANT

AND

1 The Principal District Judge, Guntur.
2 The Special Officer (Principal Munsif Magistrate), Guntur.
3 Kidambi Anasuyamma (died).
4 Komanduri Rangamma
5 Komanduri Udaya Varadacharyulu (died).
6 Gomatham Alivelu Mangathayaramma

.....RESPONDENTS

Counsel for the Appellant:MR.M.VIJAY KUMAR

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

Counsel for the Respondent Nos.4 and 6: Mr.Krishna Mohan, (Not Present)

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

We have gone through the orders passed by the learned single Judge as also the orders passed in the A.T.C., and do not find any ground to interfere with the well reasoned order passed by the primary authority viz., the Special Officer-cum-Principal Munsif Magistrate, Guntur, that the appellant though had taken the plea that he failed to make payments of maktha for the year 1977-78, did not make any attempt to pay the maktha and arrears for 1977-78 at any time subsequently. Whereas, in the case of another tenant, he had also taken a similar plea but he was found to have made payment of arrears. The grievance of the appellant that he was treated differently than the other tenant viz., Cheganti Butchirami Reddy has no force since the other tenant after having failed to pay the maktha in time, did make the payment subsequently. But in the case of the appellant, he did not make payment of the arrears and has not attempted to make payment thereafter and even the appellant declined to pay the arrears. Accordingly, there are no grounds to interfere with the impugned order.

Appeal dismissed.

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DEVINDER GUPTA, CJ

13-8-2004

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C.V.RAMULU, J

Tvr

To

1 The Principal District Judge, Guntur.
2 The Special Officer (Principal Munsif Magistrate), Guntur.

3 2 CCs to the Govt. Pleader for Revenue, High Court Buildings,

Hyderabad (OUT).

4 2 CD copies.